

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

LAQUAN O'BERRY,

Defendant.

18 CR. 277 (PAE)
20 Civ. 6267 (PAE)

ORDER

PAUL A. ENGELMAYER, United States District Judge:

On April 8, 2021, the parties informed the Court that the evidentiary hearing currently scheduled for April 22, 2021 is no longer necessary because the defendant, Laquan O'Berry, intends to withdraw his ineffective assistance of counsel motion under 28 U.S.C. § 2255. Dkt. 48. On April 9, 2021, the Court held a scheduled teleconference with counsel to discuss the hearing. For the reasons stated there by counsel, the Court adjourns the hearing scheduled for April 22, 2021. The Court will, however, proceed with the telephonic conference scheduled for April 15, 2021, with counsel and Mr. O'Berry, Dkt. 47, for the purpose of confirming Mr. O'Berry's intention to dismiss his pending 28 U.S.C. § 2255 motion, and to discuss his potential recourse with respect to a firearms count that may be invalid under *United States v. Davis*.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: April 9, 2021
New York, New York